



#3.
Patent Application,
Atty. Ref.: 11696.0059

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

MARTIN P. USHER et al.

Serial No.: 09/833,593

Filed: April 13, 2001

For: CELLULAR RADIO SYSTEM

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF
NONPROVISIONAL APPLICATION**

Assistant Commissioner of Patents
Washington, DC 20231

Dear Sir:

In response to the Notice to File Missing Parts mailed August 30, 2001, enclosed are the following:

1. an executed Declaration and Power of Attorney;
2. a copy of the Notice to File Missing Parts; and
3. a check in the amount of \$130.00 for the filing fee.

The Commissioner is hereby authorized to charge/credit any fee deficiencies/overpayments to Deposit Account No. 19-4293.

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Assistant Commissioner for Patents, Washington, D.C. 20231" on:

September 5, 2001

Katie S. Lee ^{Date}
Signature

Katie S. Lee
Typed or Printed Name

Respectfully submitted,

By:

Scott D. Watkins
Scott D. Watkins
Reg. No. 36,715
STEPTOE & JOHNSON LLP
1330 Connecticut Avenue, N.W.
Washington, DC 20036
Tel.: (202) 429-3000
Fax.: (202) 429-3902

SECTOR
#3

Please type a plus sign (+) inside this box → ☐ +

PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.



TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number	09/833,593
Filing Date	April 13, 2001
First Named Inventor	Martin P. Usher
Group Art Unit	
Examiner Name	
Attorney Docket Number	11696.0059

Total Number of Pages in This Submission

ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input checked="" type="checkbox"/> Certified Copy of Priority Document(s) <input checked="" type="checkbox"/> Response to Missing Parts/Incomplete Application <input checked="" type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Scott D. Watkins Steptoe & Johnson LLP
Signature	<i>Scott Watkins</i>
Date	September 5, 2001

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date: Sept. 5, 2001

Typed or printed name	Katie S. Lee
Signature	<i>Katie S. Lee</i>
Date	September 5, 2001

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



#3

PTO/SB/17 (11-00)
Approved for use through 10/31/2002. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$130.00)

Complete if Known

Application Number	09/833,593
Filing Date	April 13, 2001
First Named Inventor	Martin P. Usher
Examiner Name	
Group Art Unit	
Attorney Docket No.	11696.0059

METHOD OF PAYMENT

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number: 19-4293

Deposit Account Name: Steptoe & Johnson LLP

☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

☐ Applicant claims small entity status. See 37 CFR 1.27

2. ☒ Payment Enclosed:

☒ Check ☐ Credit card ☐ Money Order ☐ Other

FEE CALCULATION (continued)

				Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Code	Fee (\$)		
105	130	205	65					Surcharge - late filing fee or oath	130
127	50	227	25					Surcharge - late provisional filing fee or cover sheet	
139	130	139	130					Non-English specification	
147	2,520	147	2,520					For filing a request for <i>ex parte</i> reexamination	
112	920*	112	920*					Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*					Requesting publication of SIR after Examiner action	
115	110	215	55					Extension for reply within first month	
116	390	216	195					Extension for reply within second month	
117	890	217	445					Extension for reply within third month	
118	1,390	218	695					Extension for reply within fourth month	
128	1,890	228	945					Extension for reply within fifth month	
119	310	219	155					Notice of Appeal	
120	310	220	155					Filing a brief in support of an appeal	
121	270	221	135					Request for oral hearing	
138	1,510	138	1,510					Petition to institute a public use proceeding	
140	110	240	55					Petition to revive - unavoidable	
141	1,240	241	620					Petition to revive - unintentional	
142	1,240	242	620					Utility issue fee (or reissue)	
143	440	243	220					Design issue fee	
144	600	244	300					Plant issue fee	
122	130	122	130					Petitions to the Commissioner	
123	50	123	50					Processing fee under 37 CFR 1.17(q)	
126	180	126	180					Submission of Information Disclosure Stmt	
581	40	581	40					Recording each patent assignment per property (times number of properties)	
146	710	246	355					Filing a submission after final rejection (37 CFR § 1.129(a))	
149	710	249	355					For each additional invention to be examined (37 CFR § 1.129(b))	
179	710	279	355					Request for Continued Examination (RCE)	
169	900	169	900					Request for expedited examination of a design application	
Other fee (specify) _____									
*Reduced by Basic Filing Fee Paid									
SUBTOTAL (3)									(\$130.00)

FEE CALCULATION

1. BASIC FILING FEE

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)
101	710	201	355
106	320	206	160
107	490	207	245
108	710	208	355
114	150	214	75

UTILITY filing fee

DESIGN filing fee

PLANT filing fee

REISSUE filing fee

PROVISIONAL filing fee

SUBTOTAL (1) (\$0)

2. EXTRA CLAIM FEES

Total Claims: -20** = X =

Independent Claims: -3** = X =

Multiple Dependent: =

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description
103	18	203	9	
102	80	202	40	
104	270	204	135	
109	80	209	40	
110	18	210	9	

CLAIMS in excess of 20

INDEPENDENT claims in excess of 3

MULTIPLE dependent claim, if not paid

** REISSUE independent claims over original patent

** REISSUE claims in excess of 20 and over original patent

SUBTOTAL (2) (\$0)

*or number previously paid, if greater; For Reissues, see above

SUBMITTED BY

Name (Print/Type)	Scott D. Watkins	Registration No. (Attorney/Agent)	36,715	Telephone	202-429-3000
Signature	<i>Scott D. Watkins</i>	Date	Sept. 5, 2001		

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/833,593	04/13/2001	Martin Philip Usher	11656.0059

27890
STEPTOE & JOHNSON LLP
1330 CONNECTICUT AVENUE, N.W.
WASHINGTON, DC 20036

CONFIRMATION NO. 5641

FORMALITIES LETTER



OC00000006496003

Date Mailed: 08/30/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 130.

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

09/07/2001 HNDOR1 00000004 09833593

01 FC:105

130.00 0P